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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,040	04/30/2007	Renaud Le Devehat	FMCE-P138	8306
7590 Henry C Query Jr 504 S Pierce Avenue Wheaton, IL 60187	10/07/2009		EXAMINER PRICE, CRAIG JAMES	
			ART UNIT 3753	PAPER NUMBER
			MAIL DATE 10/07/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/554,040	LE DEVEHAT, RENAUD	
	<b>Examiner</b>	<b>Art Unit</b>	
	Craig Price	3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2007.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1 and 3-13 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,3-13 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 21 October 2005 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/18/2006</u> .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

Claims 1,3-13 are pending. Claim 2 is cancelled.

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “first side and second side” (claim 7), a device (claim 9, this device appears to be the mechanical thrusters as disclosed in the specification), a ring (claim 10) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 7-10, 12 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Le Devehat (WO 02/22491).

Regarding claim 1, Le Devehat discloses (using U.S. Patent 7,147,022 as a translation for PCT Publication WO 02/22491), an assembly, as shown in Figure 1, for loading and unloading products which comprises, a balanced loading and unloading arm (14) which is installed at a first location (12) and which includes a compass-style duct system (Col. 2, Lns. 19-23) having a first end mounted on a base (18) and a second end provided with a connection system (28,30,33,44) suitable for connecting the compass-style duct system to a coupling means (29,43,45) installed at a second location (10), a cable (32) which is extendable between the first and second locations, a means (34, Col. 2, Lns. 60-61) at the first location for subjecting the cable to a constant tension, and means (33,44,46) co-operating with the cable for guiding the connection system along the cable until the connection system is brought into a position adjacent the coupling means, wherein the guiding means comprises a drive winch (42) which is connected to the connection system and which operates to drive the connection system along the cable when the cable is stretched between the first location and the second location.

Regarding claim 3, Le Devehat discloses that the cable comprises means (43) for co-operating with a locking system (29) at the second location to thereby keep the cable attached to the second location.

Regarding claim 7, Le Devehat discloses that the cable crosses from a first side of the connection system to a second side of the connection system, as shown in Figure 1.

Regarding claim 8, Le Devehat discloses that the constant tension means comprises an emergency disconnection system (31) for the cable.

Regarding claim 9, Le Devehat discloses that the constant tension means comprises a winder (35,38) and the emergency disconnection system comprises a device (47) for clamping the cable and for releasing the cable when the cable is unwound beyond a predetermined maximum number of turns.

Regarding claim 10, Le Devehat discloses an alignment guide (40, see Figure 3) which is connected to the connection system and which comprises a ring (the projecting part at the distal end of 40 connected with the cable, between numerals 40 and 32, this is considered as being a ring in as much as applicant's device is a ring) through which the cable passes and which is spaced apart from the connection system.

Regarding claim 12, Le Devehat discloses the means (43-46) for coupling the connection system to the second location.

Regarding claim 13, Le Devehat discloses that the connection system comprises a female truncated conical element (46) and in that the coupling means comprises a

male truncated conical element (45) which is adapted to fittingly engage the female truncated conical element.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3 and 4 are rejected, in an alternative reading of the claim, under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491) in view of Le Devehat (WO 01/04041).

Le Devehat '491 is silent to having the cable comprises means for co-operating with a locking system at the second location to thereby keep the cable attached to the second location and the means for co-operating with the locking system comprises a sleeve which is crimped onto the cable.

Le Devehat '041 discloses (using U.S. Patent 6,719,008 as a translation for PCT Publication WO 01/04041) an offshore loading system which teaches the use of a locking system (54) at a second location to keep the cable attached to a second location the means for co-operating with the locking system comprises a sleeve (53) which is crimped onto a cable.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a locking system and sleeve as taught by Le Devhat'041

onto the system of Le Devehat '491 in order to fix the suspension cable with the connecting cable (Col. 7, Lns. 20-24).

Claims 5 and 6 are rejected, in an alternative reading of the claim, under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491) in view of Vilain (3,032,082).

Le Devehat '491 is silent to having the cable being joined to the second location by a return pulley and an approach winch which is positioned at the first location.

Vilain discloses a loading system for oil tankers which teaches the use of a return pulley (22) positioned at a second location and an approach winch (19) which is positioned at the first location.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a pulley and winch as taught by Vilain onto the system of Le Devehat '491 in order to "enable oil-tankers to be loaded and unloaded without any supervision and in the minimum of time" (Col. 2, Lns. 43-49).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Le Devehat (WO 02/22491) in view of Dumas (3,964,512).

Le Devehat is silent to a rotation device capable of ordering an angular movement of the connection system relative to the compass-style duct system.

Dumas discloses a pipe boom which teaches the use of a rotation device as shown in Figure 2 (14,16-19, Col. 2, Lns. 47 -57), capable of ordering an angular movement of the connection system relative to the compass-style duct system.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to employ a rotation device as taught by Dumas into the system of Le Devehat in order to control angular positions of the pipe sections (Col. 1, Lns. 62-Col. 2, Lns. 2).

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig Price whose telephone number is (571)272-2712. The examiner can normally be reached on 7AM - 5:30PM Mon-Thurs, Increased flex time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.